

Introduced _____
Public hearing _____
Council action _____
Executive action _____
Effective date _____

County Council of Howard County, Maryland

2004 Legislative Session

Legislative day # 14

BILL NO. 75- 2004 (ZRA -55)

Introduced by
David A. Rakes, Councilman

AN ACT amending the Howard County Zoning Regulations and Code to permit Transitional Mobile Home Parks to be developed as a matter of right in CE zoning districts, under certain circumstances.

Introduced and read first time _____, 2004. Ordered posted and hearing scheduled.

By order _____
Sheila M. Tolliver, Administrator to the County Council

Having been posted & notice of time & place of hearing and title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2004 and concluded on _____, 2004.

By order _____
Sheila M. Tolliver, Administrator to the County Council

This Bill was read the third time _____, 2004 and Passed __, Passed with amendments __, Failed __.

By order _____
Sheila M. Tolliver, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2004 at ____ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator to the County Council

Approved/vetoed by the County Executive on _____, 2004.

James N. Robey, County Executive

NOTE; [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law.
~~Strikeout~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. *Be it enacted*** by the County Council of Howard County, Maryland, that Section
2 103 “Definitions” of the Zoning Regulations of Howard County, be hereby amended to read
3 as follows:

4
5
6 **SECTION 103: Definitions**
7

8 103. MOBILE HOME PARK, TRANSITIONAL: A DEVELOPMENT LIMITED TO
9 MOBILE HOME DWELLING UNITS DEVELOPED AND OPERATED FOR
10 A SPECIFIED LIMITED PERIOD WHICH:

- 11 A. COMPLIES WITH THE REQUIREMENTS OF SECTION 127.2E.5;
12 AND
13 B. ADJOINS OR IS WITHIN 50 FEET OF AN EXISTING
14 NONCONFORMING MOBILE HOME PARK; AND
15 C. HAS ALL TENANTS WITHIN THE DEVELOPMENT AS LESSEES
16 UNDER ONE-YEAR LEASES, ONLY RENEWABLE FOR A
17 MAXIMUM OF ~~FIVE YEARS~~ TEN YEARS. SUBJECT TO THE
18 COUNTY'S AUTHORIZATION OF AN EXTENSION OF THE
19 LEASE TERM BASED ON ECONOMIC OR OTHER
20 HARDSHIPS.
21
22

23 **Section 2. *Be it further enacted*** by the County Council of Howard County, Maryland, that
24 Subsection B “Uses Permitted as a Matter of Right” and Subsection E “Bulk Regulations” of
25 Section 127.2 “CE (Corridor Employment) District” of the Zoning Regulations of Howard
26 County, be hereby amended to read as follows:
27
28

29 **SECTION 127.2: CE (Corridor Employment) District**
30

1 **B. Uses Permitted As A Matter of Right**

2

3 26. TRANSITIONAL MOBILE HOME PARKS WHICH MEET THE
4 REQUIREMENTS OF SECTION 127.2E.5.

5

6

7 **E. Bulk Regulations**

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9 5. MINIMUM REQUIREMENTS FOR TRANSITIONAL MOBILE HOME
10 PARKS:

11

12 THE FOLLOWING MINIMUM PROVISIONS APPLY TO MOBILE HOME
13 PARKS WHICH MAY BE DEVELOPED AND OPERATED FOR A LIMITED
14 PERIOD AS DESCRIBED BELOW, ON LAND WITHIN THE CE DISTRICT
15 AND WITHIN 50 FEET OF EXISTING NON-CONFORMING MOBILE HOME
16 PARKS.

17

18 A. AREA OF PARK 5
19 ACRES MINIMUM

20

21 B. DENSITY 15 MOBILE HOME
22 UNITS PER ACRE

23

24 C. SETBACKS - MOBILE HOMES:

25

26 (1) FROM EXTERNAL PUBLIC STREET RIGHT-OF-WAY
27 50 FEET

28 (2) FROM A DIFFERENT ZONING DISTRICT OTHER THAN R-MH
29 50 FEET

30 (3) FROM A R-MH ZONING DISTRICT 10 FEET

- (4) BETWEEN STRUCTURES ~~15~~ 10 FEET
INCLUDING STEPS, DECKS, AND OPEN PORCHES.
- (5) ACROSS AN INTERNAL PRIVATE DRIVE BETWEEN
STRUCTURES 30 FEET

D. ANY TRANSITIONAL MOBILE HOME PARK DEVELOPED AS PROVIDED IN THIS SECTION SHALL CEASE OPERATION AT THE END OF FIFTEEN (15) YEARS AFTER THE FIRST USE AND OCCUPANCY PERMIT IS ISSUED FOR A MOBILE HOME IN THE PARK. PRIOR TO THE END OF THE FIFTEENTH YEAR, EITHER THE COUNTY OR THE OWNER OF THE TRANSITIONAL MOBILE HOME PARK MAY REQUEST FROM THE COUNTY COUNCIL AN EXTENSION OF THE INITIAL FIFTEEN-YEAR PERIOD. ANY EXTENSION OF THE INITIAL FIFTEEN-YEAR PERIOD MUST BE AGREED TO BY BOTH THE COUNTY AND THE OWNER OF THE TRANSITIONAL MOBILE HOME PARK AND SHALL ESTABLISH THE FINAL DATE OF OPERATION OF THE TRANSITIONAL MOBILE HOME PARK.

Section 3. Be it enacted by the County Council of Howard County, Maryland, that Section 16.500 “Definitions”, Section 16.512A “Mobile Home Park, Transitional”, and Section 16.515 “Leases” of Subtitle 5 “Mobile Home Development”, of Title 16 “Planning, Zoning and Subdivisions and Land Development Regulations” of the Howard County Code, be hereby amended to read as follows:

TITLE 16. Planning, Zoning and Subdivisions and Land Development Regulations

SUBTITLE 5. Mobile Home Development

Section. 16.500. Definitions.

(g) Mobile Home Development means any parcel or tract of land, zoned as a residential mobile home district, together with required open spaces, used, designed, maintained or held out to accommodate mobile homes, whether by rental or ownership, and all buildings and structures intended as accessory uses.

(H) MOBILE HOME PARK, TRANSITIONAL: A DEVELOPMENT LIMITED TO MOBILE HOME DWELLING UNITS DEVELOPED AND OPERATED FOR A SPECIFIED LIMITED PERIOD WHICH:

A. COMPLIES WITH THE REQUIREMENTS OF SECTION 127.2E.5;
AND

B. ADJOINS OR IS WITHIN 50 FEET OF AN EXISTING
NONCONFORMING MOBILE HOME PARK; AND

C. HAS ALL TENANTS WITHIN THE DEVELOPMENT AS LESSEES
UNDER ONE-YEAR LEASES, ONLY RENEWABLE FOR A
MAXIMUM OF ~~FIVE YEARS~~ TEN YEARS. SUBJECT TO THE
COUNTY'S AUTHORIZATION OF AN EXTENSION OF THE
LEASE TERM BASED ON ECONOMIC OR OTHER
HARDSHIPS AS REQUIRED IN THIS SUBTITLE.

SECTION. 16.512.A MOBILE HOME PARK, TRANSITIONAL.

TRANSITIONAL MOBILE HOME PARKS ARE TO BE DEVELOPED FOR THE PURPOSE
OF PROVIDING AFFORDABLE TEMPORARY HOUSING OPPORTUNITIES.

TRANSITIONAL MOBILE HOME PARKS MUST BE LOCATED:

A. ON LAND WITHIN A CORRIDOR EMPLOYMENT (CE) ZONING DISTRICT;
AND

B. WITHIN 50 FEET TO AN EXISTING NON-CONFORMING MOBILE HOME
PARK.

1 ANY TRANSITIONAL MOBILE HOME PARK DEVELOPED AS PROVIDED IN THIS
2 SECTION SHALL CEASE OPERATION AT THE END OF FIFTEEN (15) YEARS AFTER
3 THE FIRST USE AND OCCUPANCY PERMIT IS ISSUED FOR A MOBILE HOME IN THE
4 PARK. PRIOR TO THE END OF THE FIFTEENTH YEAR, EITHER THE COUNTY OR
5 THE OWNER OF THE TRANSITIONAL MOBILE HOME PARK MAY REQUEST FROM
6 THE COUNTY COUNCIL AN EXTENSION OF THE INITIAL FIFTEEN YEAR PERIOD.
7 ANY EXTENSION OF THE INITIAL FIFTEEN YEAR PERIOD MUST BE AGREED TO BY
8 BOTH THE COUNTY AND THE OWNER OF THE TRANSITIONAL MOBILE HOME
9 PARK AND SHALL ESTABLISH THE FINAL DATE OF OPERATION OF THE
10 TRANSITIONAL MOBILE HOME PARK.

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12 Sec. 16.515. Leases.

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14 (b) The written lease offered by the park owner or operator shall contain or have
15 attached the following:

- 16 (1) Specific identification of the lot to be rented or leased.
- 17 (2) A period of duration of not less than one year, or of the shorter term as
18 permitted under the conditions of section 16.515(a) of this subtitle.
- 19 (3) A SPECIFIC STIPULATION THAT INFORMS TENANTS OF A
20 TRANSITIONAL MOBILE HOME PARK THAT A MAXIMUM OF
21 ~~FIVE~~ TEN, ONE-YEAR LEASES MAY BE ENTERED INTO FOR
22 OCCUPANCY AT A TRANSITIONAL MOBILE HOME PARK. THE
23 STIPULATION SHALL ALSO INDICATE THAT AN
24 EXTENSION OF THE LEASE TERM MAY BE AUTHORIZED
25 BY THE DEPARTMENT OF PLANNING AND ZONING WITH
26 THE CONCURRENCE OF THE DEPARTMENT OF HOUSING
27 AND COMMUNITY DEVELOPMENT IF WARRANTED DUE
28 TO ECONOMIC OR OTHER HARDSHIPS.

29 ~~[[(3)]]~~ (4) A stipulation of total amount of rental for a mobile home lot, together with a

- 1 stipulation of the terms of payment, monthly, quarterly, annually, or
2 semiannually, and the amount due at each installment.
- 3 ~~[(4)]~~ (5) Specific amounts of any and all fees, charges, assessments, installation
4 charges payable by the resident, in such a manner as to identify the specific
5 service being provided for each charge, assessment, or fee.
- 6 ~~[(5)]~~ (6) A complete and current copy of the park rules and regulations, together with
7 an explanation of provisions for amendments thereto.
- 8 ~~[(6)]~~ (7) Specific reference to this subtitle as the governing law regulating relations
9 between mobile home park residents and park operators in Howard County
10 as well as the applicable provisions of the Maryland Code.
- 11 ~~[(7)]~~ (8) All responsibilities of the prospective resident and all services and facilities to
12 be provided by the park owner or operator.
- 13 ~~[(8)]~~ (9) Clear and specific identification of actions on the part of the resident which
14 may be grounds for eviction from the mobile home park or termination of the
15 lease or rental agreement.

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18 ***Section 4. Be it further enacted*** by the County Council of Howard County, Maryland, that
19 *this Act shall become effective 61 days after its enactment.*